

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
J. FREDERICK MÖTZ
UNITED STATES DISTRICT JUDGE

101 WEST LOMBARD STREET
BALTIMORE, MARYLAND 21201
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December 11, 2015

MEMO TO COUNSEL RE: Kevin Mulkern v. Brown's Performance Motor Cars
Civil No. JFM-15-2292

Dear Counsel:

I have reviewed the papers submitted in connection with the motion for summary judgment filed by Brown's Performance Motor Cars. The motion (document 10) is denied. I am inclined to think that any representations made by Brown's were mere "puffery." However, given the fact that no discovery has yet been conducted and that plaintiff has asserted conspiracy claims against Brown's and its co-defendants, I deem it prudent to defer ruling upon the issues presented by Brown's existing motion until the conclusion of discovery.

A conference call will be held on January 4, 2016 at 4:30 p.m. to discuss the appropriate schedule in this case. I ask counsel for plaintiff to initiate the call.

Enclosed is a tentative scheduling order with approximate dates for your information. Please consult with one another before the call and be prepared to discuss whether you would like to participate in a settlement conference either before or after the completion of discovery, any changes to the dates in the form scheduling order, and whether there is unanimous consent to proceed before a U.S. Magistrate Judge for all proceedings.

Also enclosed is a letter regarding a call-in hour program for the resolution of discovery disagreements.

Despite the informal nature of this letter, it should be flagged as an opinion and docketed as an order.

Very truly yours,



J. Frederick Motz
United States District Judge

CLERK'S OFFICE
AT BALTIMORE

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FILED
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